
Introduced by Senator Alpert

February 18, 2003

An act to amend Section 2069 of the Business and Professions Code, relating to medical assistants.

LEGISLATIVE COUNSEL'S DIGEST

SB 252, as introduced, Alpert. Medical assistants.

Existing law authorizes a medical assistant, under certain conditions, to perform certain tasks and services in licensed clinics upon the specific authorization of a supervising physician assistant, nurse practitioner, or nurse-midwife.

This bill would delete the requirement that a medical assistant only perform those tasks and services in licensed clinics.

Vote: majority. Appropriation: no. Fiscal committee: no. State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 2069 of the Business and Professions
2 Code is amended to read:
3 2069. (a) (1) Notwithstanding any other provision of law, a
4 medical assistant may administer medication only by intradermal,
5 subcutaneous, or intramuscular injections and perform skin tests
6 and additional technical supportive services upon the specific
7 authorization and supervision of a licensed physician and surgeon
8 or a licensed podiatrist. A medical assistant may also perform all
9 these tasks and services in a clinic licensed pursuant to subdivision
10 (a) of Section 1204 of the Health and Safety Code upon the specific

1 authorization of a physician assistant, a nurse practitioner, or a
2 nurse-midwife.

3 (2) The supervising physician and surgeon ~~at a clinic described~~
4 ~~in paragraph (1)~~ may, at his or her discretion, in consultation with
5 the nurse practitioner, nurse-midwife, or physician assistant
6 provide written instructions to be followed by a medical assistant
7 in the performance of tasks or supportive services. These written
8 instructions may provide that the supervisory function for the
9 medical assistant for these tasks or supportive services may be
10 delegated to the nurse practitioner, nurse-midwife, or physician
11 assistant within the standardized procedures or protocol, and that
12 tasks may be performed when the supervising physician and
13 surgeon is not onsite, so long as the following apply:

14 (A) The nurse practitioner or nurse-midwife is functioning
15 pursuant to standardized procedures, as defined by Section 2725,
16 or protocol. The standardized procedures or protocol shall be
17 developed and approved by the supervising physician and
18 surgeon, the nurse practitioner or nurse-midwife, and the facility
19 administrator or his or her designee.

20 (B) The physician assistant is functioning pursuant to regulated
21 services defined in Section 3502 and is approved to do so by the
22 supervising physician or surgeon.

23 (b) As used in this section and Sections 2070 and 2071, the
24 following definitions shall apply:

25 (1) “Medical assistant” means a person who may be
26 unlicensed, who performs basic administrative, clerical, and
27 technical supportive services in compliance with this section and
28 Section 2070 for a licensed physician and surgeon or a licensed
29 podiatrist, or group thereof, for a medical or podiatry corporation,
30 for a physician assistant, a nurse practitioner, or a nurse-midwife
31 as provided in subdivision (a), or for a health care service plan,
32 who is at least 18 years of age, and who has had at least the
33 minimum amount of hours of appropriate training pursuant to
34 standards established by the Division of Licensing. The medical
35 assistant shall be issued a certificate by the training institution or
36 instructor indicating satisfactory completion of the required
37 training. A copy of the certificate shall be retained as a record by
38 each employer of the medical assistant.

39 (2) “Specific authorization” means a specific written order
40 prepared by the supervising physician and surgeon or the

1 supervising podiatrist, or the physician assistant, the nurse
2 practitioner, or the nurse-midwife as provided in subdivision (a),
3 authorizing the procedures to be performed on a patient, which
4 shall be placed in the patient's medical record, or a standing order
5 prepared by the supervising physician and surgeon or the
6 supervising podiatrist, or the physician assistant, the nurse
7 practitioner, or the nurse-midwife as provided in subdivision (a),
8 authorizing the procedures to be performed, the duration of which
9 shall be consistent with accepted medical practice. A notation of
10 the standing order shall be placed on the patient's medical record.

11 (3) "Supervision" means the supervision of procedures
12 authorized by this section by the following practitioners, within
13 the scope of their respective practices, who shall be physically
14 present in the treatment facility during the performance of those
15 procedures:

16 (A) A licensed physician and surgeon.

17 (B) A licensed podiatrist.

18 (C) A physician assistant, nurse practitioner, or nurse-midwife
19 as provided in subdivision (a).

20 (4) "Technical supportive services" means simple routine
21 medical tasks and procedures that may be safely performed by a
22 medical assistant who has limited training and who functions
23 under the supervision of a licensed physician and surgeon or a
24 licensed podiatrist, or a physician assistant, a nurse practitioner, or
25 a nurse-midwife as provided in subdivision (a).

26 (c) Nothing in this section shall be construed as authorizing the
27 licensure of medical assistants. Nothing in this section shall be
28 construed as authorizing the administration of local anesthetic
29 agents by a medical assistant. Nothing in this section shall be
30 construed as authorizing the division to adopt any regulations that
31 violate the prohibitions on diagnosis or treatment in Section 2052.

32 (d) Notwithstanding any other provision of law, a medical
33 assistant may not be employed for inpatient care in a licensed
34 general acute care hospital as defined in subdivision (a) of Section
35 1250 of the Health and Safety Code.

